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Colleen J. Nicol, MMC

AND WHEN RECORDED MAIL TO:

City Clerk
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Riverside, CA 92522
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P05-1090

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RESOLUTION NO. 21129

Title of Document

THIS AREA FOR
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THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(\$3.00 Additional Recording Fee Applies)

RESOLUTION NO. 21129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS FINDINGS AND DETERMINATIONS IN THE MATTER OF RESOLUTION OF INTENTION NO. 21116; AND MAKING ITS ORDER VACATING THE PEDESTRIAN WALKWAY LINKING OTTAWA, DWIGHT AND DOUGLASS AVENUES LOCATED WEST OF THE INTERSECTION OF TENTH STREET AND OTTAWA AVENUE, IN RIVERSIDE, CALIFORNIA.

WHEREAS, on February 7, 2006, the City Council of the City of Riverside in Planning Case No. P05-1090 adopted Resolution No. 21116 declaring its intention to order the pedestrian walkway linking Ottawa, Dwight and Douglass Avenues located west of the intersection of Tenth Street and Ottawa Avenue, within the City of Riverside, California, to be vacated and fixing the time and place of hearing all persons interested in the proposed vacation pursuant to the provisions of the Public Streets, Highways and Service Easements Vacation Law, being Sections 8300 et seq. of Part 3, Division 9 of the Streets and Highways Code of the State of California; and

WHEREAS, notice of hearing before the City Council on said resolution of intention was duly given as provided by said Public Streets, Highways, and Service Easements Vacation Law; and

WHEREAS, said proposed vacation had been previously submitted to and considered by the Planning Commission of the City of Riverside at a duly noticed public hearing held on November 17, 2005; and

WHEREAS, following the close of the public hearing before the Planning Commission, the Planning Commission determined that the proposed vacation would not have a significant effect on the environment, recommended that the City Council should adopt a Mitigated Negative Declaration, and recommended that Planning Case No. P05-1090 should be approved subject to all staff conditions; and

WHEREAS, the recommendations of the Planning Commission were submitted to the City Council for consideration together with the testimony, whether oral or in writing, presented at the public hearing before said City Council; and

WHEREAS, the City Council heard and found and determined from all of the evidence submitted to said Council on the day fixed for the hearing, on March 7, 2006, that the pedestrian walkway linking Ottawa, Dwight and Douglass Avenues located west of the intersection of Tenth Street



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1 and Ottawa Avenue, within the City of Riverside, proposed for vacation was unnecessary for present or
2 prospective public use;

3 NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED by the City
4 Council of the City of Riverside, California, as follows:

5 Section 1: That the vacation of the pedestrian walkway linking Ottawa, Dwight and Douglass
6 Avenues located west of the intersection of Tenth Street and Ottawa Avenue, within the City of
7 Riverside, California, in Planning Case P05-1090 is undertaken pursuant to the provisions of and in
8 accordance with the procedures set forth in the Public Streets, Highways, and Services Easements
9 Vacation Law and that all notices required thereby have been duly given.

10 Section 2: That from all the evidence submitted to the City Council at the February 21, 2006,
11 public hearing before it on Planning Case P05-1090, whether such evidence was oral or in writing,
12 together with the recommendations from the Planning Commission, the pedestrian walkway linking
13 Ottawa, Dwight and Douglass Avenues located west of the intersection of Tenth Street and Ottawa
14 Avenue, within the City of Riverside, California, as hereinafter described and ordered vacated is
15 unnecessary for present or prospective public use as a public pedestrian walkway.

16 Section 3: That the proposed vacation will not have a significant effect on the environment
17 and adopts a Mitigated Negative Declaration.

18 Section 4: That the pedestrian walkway linking Ottawa, Dwight and Douglass Avenues
19 located west of the intersection of Tenth Street and Ottawa Avenue, within the City of Riverside,
20 California, and described and depicted in attached Exhibit "A", and by this reference made a part hereof,
21 be and the same is hereby ordered vacated.

22 Section 5: That the public convenience and necessity requires the exception of the following
23 easements and rights-of-way from the vacation hereinabove ordered: an easement for electric energy
24 underground facilities, including water pipelines, gas lines, storm drains, sanitary sewers, telephone,
25 telegraph and communication structures, the right to construct, place, inspect, operate, maintain, repair,
26 replace and remove such underground facilities unless said facilities are satisfactorily relocated and/or
27 abandoned, further, that the public convenience and necessity require the exception and reservation from



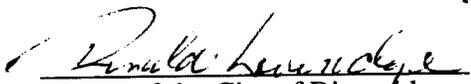
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1 the vacation of those easements and rights-of-way in, under, across, upon, over and along that portion
2 of the public street ordered to be vacated necessary to maintain, operate, remove or renew any in-place
3 public utility facilities that are in use and not otherwise excepted and reserved hereinabove.

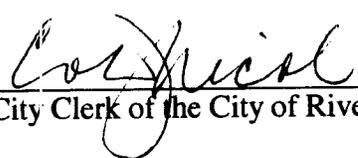
4 Section 6: That the vacation, termination and abandonment of that pedestrian walkway
5 described in Exhibit "A" shall occur only after the applicable conditions contained in the Planning
6 Department's report to the City Council and on file with the City Clerk, as approved or amended by the
7 City Council, have been satisfied, and the City Clerk is hereby directed not to record this resolution of
8 vacation until the applicable conditions have been satisfied.

9 Section 7: That the City Clerk of the City of Riverside shall cause a certified copy of this
10 resolution to be recorded in the Office of the County Recorder of the County of Riverside, California,
11 upon the satisfaction of the applicable conditions, and the portion of the street described in Exhibit "A"
12 shall no longer constitute a public pedestrian walkway from and after the date of recordation.

13 ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this
14 7th day of March, 2006.


Mayor of the City of Riverside

17 Attest:

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19 
20 City Clerk of the City of Riverside



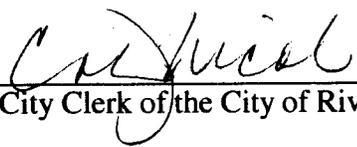
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I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council of said City at its meeting held on the 7th day of March, 2006, by the following vote, to wit:

- Ayes: Councilmembers Betro, Melendrez, Gage, Schiavone, Adkison, Hart, and Adams
- Noes: None
- Absent: None
- Abstain: None

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 7th day of March 2006.


City Clerk of the City of Riverside

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